OCKET NO.: RA- 5271K

AUG 2 9 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas D. Harnett, et. al.

Application No.:

09/468,051

Art Unit:

2193

Filing Date:

12/20/1999

Examiner:

Wood, William H.

Allowed:

08/10/2005

Customer:

Title: PIPELINE CONTROLLER FOR PROVIDING INDEPENDENT EXECUTION

BETWEEN THE PRELIMINARY AND ADVANCED STAGES OF A SYNCHRONOUS

**PIPELINE** 

Certificate of Mailing Under 37 CFR 1.8. I hereby certify that this correspondence is being deposited with the U. S. Postal Service on the day show below, with sufficient postage for First Class mail, in an envelope addressed to: Mail Stop, ISSUE FEE, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

## COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee Commissioner for Patents P O Box 1450 Alexandria, VA 22313-1450

Sir:

The Examiner's statement of Reasons for Allowance implies that the claimed invention was allowed because the prior art did not disclose specific elements. The elements characterized by the Examiner, however, even if found in the prior art, would not render the claimed invention invalid under 35 USC §102 because the claimed invention includes a number of limitations not addressed in the Reasons for Allowance. With respect to 35 USC §103, the requirements of establishing a prima facie case of obviousness including (1) a showing that the prior art teaches the entire claimed invention where all limitations are to be considered, and (2) that combining various prior art references is (a) suggested in the art, and (b) there would be motivation to make the combination, with a likelihood of success, have not been satisfied.

Unless otherwise advised, these comments are intended to be clarifying in a manner consistent with the law.

Respectfully submitted,

momalon Beth L. McMahon, Req. 41,987

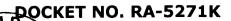
Attorney for Applicant(s)

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P O Box 64942

St. Paul, MN 55164-0942

Date 26, 2005



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THORMAT RE Application of: Thomas D. Harnett, et al

Serial No.: 09/468,051

Art Unit: 2193

Filed:

12/20/1999

Examiner: Woo

Wood, William H.

Allowed:

08/10/2005

Customer: 27516

Title:

Pipeline Controller for Providing Independent Execution Between the

Preliminary and Advanced Stages of a Synchronous Pipeline

**Certificate of Mailing nder 31 CFR §1.8**. I hereby certify that this correspondence is being deposited with the U.S. Postal Service on the date shown below with sufficient postage for a first class mail, in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

By: M. A. Hubbard

Official Draftsman and Commissioner for Patents P O Box 1450 Alexandria, VA 22313-1450

## Sir:

In response to the NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW mailed on 08/10/2005, attached are the corrected formal drawing(s) for this application. The formal drawings consist of  $\underline{13}$  sheets of formal drawings for the subject patent application. Each sheet of drawings indicates the identifying indicia suggested in 37 C.F.R § 1.84 (c) on the top margin of the drawing.

It is believed that no extension of time is necessary. However, if an extension is required, please consider this a petition therefore and charge any required fees to Deposit Account No. 19-3790.

Respectfully submitted,

Beth L. McMahon, Reg. No: 41,987

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